

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Policy and Rules Concerning the)
Interstate, Interexchange Marketplace) CC Docket No. 96-61
)
Implementation of Section 254(g) of the)
Communications Act of 1934, as amended)

FILED 23 1996
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PETITION FOR CLARIFICATION

Pursuant to Section 1.429 of the Commission's rules, 47 C.F.R. §1.429, the Telecommunications Management Information Systems Coalition (the "Coalition")¹ hereby submits this Petition for Clarification ("Petition") of the Commission's Second Report and Order released in the above-captioned proceeding on October 31, 1996 ("Order").

I. INTRODUCTION & BACKGROUND

In ordering mandatory detariffing of interstate, interexchange services, the Commission acknowledged the argument of many consumer groups, state public utility commissions and information service companies that the public continues to require access to carriers' rates, terms and conditions for the provision of these services. Accordingly, the Commission required that certain information — even in the absence of tariffs — be made available to the public.²

¹ The Coalition is composed of three telecommunications management information systems companies and was formed for the purpose of participating in this proceeding. The three companies are Salestar, Center for Communications Management Information ("CCMI"), and Tele-Tech Services ("Tele-Tech").

² Order at ¶ 84.

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The Commission, however, left the precise contours of the public availability requirement undefined. In terms of content and specificity of the information required to be available to the public, the Commission mandated that information on “rates, terms and conditions” for all interstate interexchange services must be available in an “easy to understand format. . . .”³ In elaborating upon this requirement, the Commission stated that it “[did] not intend to require carriers to disclose *more* information than in currently provided in tariffs. . . .”⁴ With respect to the timing of information made available to the public, the Commission ordered that it must be available “in a timely manner.”⁵

To ensure that the Commission’s goals are effectively met, the Commission must clarify its requirement for continued availability of critical pricing information by specifying (1) the type and amount of information that must be available to the public, and (2) the time limit within which the public must be able to obtain this information.

II. ARGUMENT

Unless the FCC clarifies how carriers must provide pricing information, it is likely that many carriers will provide only limited information that is wholly inadequate to ensure effective enforcement of statutory requirements. In particular, without more specific information requirements, the Commission and other interested parties likely will not be able to effectively enforce the geographic rate averaging and rate integration requirements of Section 254(g) through the Commission’s complaint process.

³ *Id.*

⁴ *Id.* (emphasis added).

⁵ *Id.*

With respect to the quantity and content of pricing information that must be made available, the Coalition attaches as Exhibit A a list of precise information relating to rates, terms and conditions that needs to be available to the public.⁶ The Coalition notes that this is less information than carriers have been required to provide in their tariffs in the past. Additionally, the carriers must keep all of this information in the normal course of business in order to properly bill their customers, so requiring this list of information would not burden the carriers with creating “new” categories of pricing information. Without the level of detail contained in Exhibit A, customers cannot completely and accurately price their calling patterns and make informed decisions, and the statutory obligations of carriers — particularly the geographic rate averaging and rate integration requirements of Section 254(g) — cannot be effectively enforced.

Equally important is the time limit in which carriers must make information available to the public. The required information must be made available to the public no later than the day on which the rates, terms or conditions become effective. Additionally, the public must be able to physically obtain the information on the same day that it is requested — not, for example, several days later in the mail. While the Coalition does not believe that the Commission needs to mandate the precise mechanism that carriers use to provide the information, a member of the public making a pricing information request must be able to obtain the information that same day. Without such timely receipt of pricing information, the information will not be sufficiently useful to many

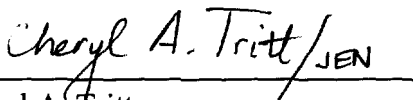
⁶ This is a slightly refined version of the list that the Coalition submitted with its original comments in this proceeding. *See* Comments of the Telecommunications Management Information Systems Coalition (April 25, 1996).

types of customers. For example, hotel and motel owners and private payphone owners must be able to bill their customers on a "real-time" basis, so dated information (even 2 or 3 days old) is not sufficiently useful.

III. CONCLUSION

In conclusion, in order for the Commission's goals to be effectively achieved, the Coalition strongly urges the Commission clarify its information availability requirement to ensure that sufficiently detailed pricing information is made available to the public in a sufficiently timely manner to be useful to the public.

Respectfully submitted,


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General Information

1. Effective date(s)
2. USOC (Universal Service Order Code)
3. Service Name / Carrier Name
4. Indication if the rate is associated with a specific plan or if it is a promotional offering. If it is a promotion, details on availability, qualifications and time frames.

*

Geographic Information

1. V&H information for rate centers/wire centers
2. V&H and CLLI (Common Language Location Identifier) code information for points of presence
3. Methodology for mileage calculations
4. Border crossing points for Mexico services
5. Jurisdiction, i.e., intraLATA, interLATA
Data tables for determining jurisdiction

Rate Calculation Information

1. Time periods, to include day of week rate periods
2. Rate holidays
3. Rounding methods for time and money
4. Minimum call durations and charges
5. Rate period specificity
6. Monthly/annual minimum charges

Rate Information

1. Initial and overtime period rates
2. Initial and overtime period durations
3. Mileage bands/NPA bands
4. Rates for services to/from Alaska, Hawaii, PR/VI

- * Indication of plan options
Applicable access types (dedicated, switched)

5. Rate schedules for each class of services (DD, OA, PP, CC, etc)
6. Rate schedules for each type of service (analog, DDS, hi-capacity, fractional private line, etc)
7. Access methods
8. LATA access channel charges
9. Surcharges
Installation charges
10. Recurring and non-recurring charges

Discount Information

1. Volume and term discounts and application, i.e., cumulative or step, if both volume and term discounts apply, explain methodology and application.
2. Promotional discounts